IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 341 of 2004

In

First Appeal No. of 2003

Smt.Anusaya Ganpat Kamble .. Applicant

V/s

Ashok Ganpat Kamble and Ors. ...Respondents

Asif Iqbal I. Patel for Applicant

Dinesh Shah for Respondent nos.1 and 2

CORAM:R.S.MOHITE,J.

DATED:12th August 2005

P.C.:-

. This is an application for condonation of delay of 270 days in filing this appeal. The Advocate for Respondent nos. 1 and 2 are absent. Respondent nos.3 and 4 are though served are not present. It is mentioned in the application that the order of the trial Court was passed on 17-12-2002 and an application for certified copy was made on 13-1-2003. The applicant had handed over all the papers to one Jagannath Patil and had also handed over some amount towards fees. She is

an illiterate and poor lady and relied on the representation of the said person who posed as an Advocate and therefore sometime in the month of August 2003 tried to contract the said Advocate but she could not contact him on his cell hone. She then made enquiries with the High Court Library and Bar Council but she was enable to contact the said Advocate as there was no Advocate by name Jagannath Patil. It appears that she has been cheated by Jagannath Patil.

. In the circumstances in the interest of justice the delay is condoned. The appeal may be numbered and listed for admission on 29-8-2005.

(R.S.MOHITE,J.)